COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **Off-Duty Hit Shooting**

IAB FILE #: **SH2450197 / FO2512555**

URN #: **018-00017-3199-057**

DATE/TIME: **March 6, 2018 / 0336 hours**

LOCATION: [redacted]

On March 6, 2018, Internal Affairs Bureau (IAB) Force and Shooting Rollout Team, comprised of Lieutenant Michael Burse, [redacted], and Sergeants Thomas Arellano, [redacted], Irys Alvarez, [redacted], responded to [redacted] regarding an off-duty deputy involved shooting. Deputy Todd Campbell was [redacted] vehicle being burglarized. In an attempt to detain one of the suspects, Jessica Cortez (Suspect Cortez) sustained a gunshot wound to her hand.

The shooting investigation was conducted by the Riverside County Sheriff's Department (RCSD), Central Homicide Unit – East Division. The shooting investigation was documented in the RCSD Homicide Case Book under file number #L18 065 0009 **[Exhibit A]**.

Los Angeles County Sheriff's Department Homicide Bureau Detectives Adam Kirste, [redacted], Omar Miranda, [redacted], under the supervision of Lieutenant Alfred Derrick, [redacted] responded to the incident and oversaw the initial investigation.

On June 4, 2019, this case was reassigned to Sergeant Alfredo Salazar, and later reassigned to Sergeant Troy Rodriquez on January 26, 2020.

<u>SYNOPSIS</u>

On March 6, 2018 at approximately 0330 hours, Deputy Campbell [redacted]. Deputy Campbell was dressed in his Department Class "B" uniform, with Department jacket, and black basket weave belt, off-duty holster and firearm. As he walked to his vehicle, Deputy

Campbell saw a suspicious person, Witness [redacted], who was unfamiliar to him. Deputy Campbell watched Witness [redacted] as he burglarized [redacted] vehicle.

Deputy Campbell identified himself as a deputy sheriff and attempted to detain Witness [redacted] at gunpoint while he called 9-1-1 from his cellphone. Deputy Campbell gave Witness [redacted] commands to get on the ground. Witness [redacted] initially complied with the commands; however, stood back up, started to walk toward Deputy Campbell and told Deputy Campbell he would not shoot him because he was unarmed.

Deputy Campbell continued to give Witness [redacted] commands and provided updates to the 9-1-1 operator. Witness [redacted] walked to a white Kia Sportage and got into the driver's seat. Witness [redacted] started the vehicle and attempted to conduct a U-turn in the middle of the street. Unable to complete the U-turn, Witness [redacted] got out of the vehicle and ran southwest on [redacted].

Suspect Cortez, who was inside the vehicle, got into the driver's seat and attempted to drive the vehicle. After Suspect Cortez got into the driver's seat, Witness [redacted] exited the left side rear passenger door and ran from the vehicle in the same direction as Witness [redacted]. Deputy Campbell gave Suspect Cortez numerous commands to turn off the engine and exit the vehicle. Suspect Cortez maneuvered the vehicle back and forth, lunging the vehicle forward; striking Deputy Campbell's left leg.

Deputy Campbell responded by firing one round through the front windshield, striking Suspect Cortez' right little finger. Suspect Cortez exited the vehicle and moved toward the sidewalk. Deputy Campbell tackled Suspect Cortez to the ground and held her until responding RCSD deputies arrived on scene and took her into custody.

Deputy Campbell provided a description of Witnesses [redacted] and [redacted] to the deputies on scene. The RCSD deputies located and detained Witness [redacted]. Deputy Campbell performed a field identification show up and positively identified Witness [redacted] as the individual who had ran from the left rear seat of the Kia Sportage. Through further investigation, RCSD deputies located and arrested Witness [redacted].

DISTRICT ATTORNEY'S LETTER OF OPINION

The Riverside County District Attorney's Office reviewed the shooting of Suspect Cortez by Deputy Campbell. In their letter of opinion, dated September 17, 2019, Chief Assistant District Attorney John Aki concluded there was no evidence of criminal liability on Deputy Campbell's part **[Exhibit A, page 240]**.

INVOLVED PERSONNEL AND WORK HISTORY

Todd Campbell, Deputy Sheriff, [redacted]

Custody Division
Twin Towers Correctional Facility (LCMC)

Date of Employment: December 5, 2007
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents:



EQUIPMENT WORN ON PERSON

On March 6, 2018, Deputy Campbell wore a Class "B" uniform with a Department green jacket, with Los Angeles County Sheriff patches on both shoulders, a name tape over the right breast pocket and a cloth badge over the left breast pocket. Deputy Campbell possessed his Beretta, 92FS Brigadier, 9mm, firearm **[Exhibit A, page 19]**.

> **IAB NOTE:** Deputy Campbell stated he wore a plain black basket weave belt and a "paddle" holster for his firearm.

SUSPECT INFORMATION

Jessica Renee Cortez – Female, Hispanic, DOB: 02/17/1999, 5-03, 116 lbs. [redacted].

The Consolidated Criminal History Reporting System (CCHRS) revealed Suspect Cortez had no felony or misdemeanor convictions. Suspect Cortez' Consolidated Criminal History Report was included **[Miscellaneous Documents].**

SUSPECT INJURIES

Suspect Cortez sustained a single gunshot wound to her right little finger. Suspect Cortez was treated at the Inland Valley Hospital, released and transported to the Lake Elsinore Station **[Exhibit A, page 6].**

DEPUTY PERSONNEL INJURIES

Deputy Campbell declined medical attention at the time of incident, but later determined he sustained an injury to his left knee [redacted].

PHYSICAL EVIDENCE

All physical evidence was located and collected by RCSD Central Homicide Unit and Forensic Services personnel. For descriptions of the evidence collected and where it was collected, see the RCSD Homicide Case Book **[Exhibit A, pages 30-32, 35-38]**.

INVESTIGATORS OBSERVATIONS

RCSD Homicide Investigators [redacted] and [redacted] were assigned as the primary and secondary investigators for the incident. RCSD Homicide Investigator

[redacted] with the assistance of Forensic Technicians Kristen Morrow [redacted] and Paul Vander Feer [redacted], processed the scene. Their description of the scene was consistent with the initial IAB investigator's observations. The scene was also photographed and sketched by the Forensic Technicians and are included in the RCSD Homicide Case Book **[Exhibit A, page 36 / Exhibit B, Photos / Exhibit B, Scene / Exhibit B, Scene Photos]**.

WEAPON USED BY DEPUTY CAMPBELL

Deputy Campbell fired one round of Department issued 9mm ammunition from his Department approved Beretta, 92FS Brigadier, semi-automatic pistol, serial number BER[redacted]. The firearm was examined by RCSD Homicide Investigator [redacted]. He later released custody of the firearm to RCSD Forensic Technician Leon [redacted] of Forensic Services – West, who packed the firearm to be transported to the California Department of Justice Bureau of Forensic Services by Forensic Technician Betzer [redacted]. Deputy Campbell's firearm was found to be functional. A California Department of Justice Bureau of Forensic Services Physical Evidence Examination Report was completed **[Exhibit B, DOJ Firearm Testing Results]**.

WEAPON USED BY SUSPECT

Suspect Cortez utilized a 2000, KIA, Sportage, License Plate, CA [redacted] as a weapon against Deputy Campbell. A search warrant and affidavit was obtained for the vehicle, and processed by RCSD Forensic Technician Ginesi [redacted] **[Exhibit A, 32]**.

PROPERTY DAMAGE

The 2000, KIA, Sportage, License Plate, CA [redacted] sustained a single bullet hole through the front windshield and damage to the dashboard **[Exhibit A, page 32]**. Refer to crime scene photographs **[Exhibit B, Scene, 2506845_DSC_0103.JPG / Scene, 2506851_DSC_0105.JPG,]**.

CRIMINAL INVESTIGATION

Suspect Cortez is currently in custody at the Robert Presley Detention Center, Booking Number 202008723, with a pending court date of August 4, 2020, under Case Number F200580048. Suspect Cortez was charged with the following Penal Code sections: 148.10, Resist a police officer causing death or serious bodily injury; 243(C)(2), Battery on a peace officer causing injury; 245(C), Assault with a deadly weapon other than a firearm likely to produce serious bodily injury; 69, Resisting an executive officer; and 148(A)(1), Obstruct, resist or delay a police officer in the performance of their duties.

LIGHTING AND WEATHER CONDITIONS

This incident took place in the dark early morning hours. The only lighting available was from the street lights and porch lights from residences.

CELLULAR PHONE COMMUNICATION

Internal Affairs Bureau Investigators reviewed the California Highway Patrol (CHP) 9-1-1 call received associated with the incident. The times indicated are from the Windows Media Player counter **[Exhibit B, CHP Dispatch Recording/COR-18-0371]**. The following is a brief synopsis of the telephone call.

00:15 – Deputy Campbell stated he was an off-duty sheriff's deputy detaining one at gunpoint and needed a deputy to respond to his location.

00:24 – Deputy Campbell provided the license plate to suspect's vehicle and a vehicle description.

00:36 – 9-1-1 Operator asked Deputy Campbell his location.

00:45 – Deputy Campbell was heard giving commands to get on the ground and to shut the vehicle off.

01:05 – 9-1-1 Operator established Deputy Campbell was an off-duty deputy and was in [redacted]

01:30 – 9-1-1 Operator transfers call to RCSD. Both operators tried to establish what was occurring with Deputy Campbell.

01:40 – Deputy Campbell stated he had a woman trying to run him down with a vehicle.

02:00 – The operators determine Deputy Campbell's location and began sharing previously provided information with each other.

02:33 – A gun shot and a female's screams were heard.

02:46 – Deputy Campbell updated 9-1-1 Operators that he fired a round through the front windshield of the vehicle.

03:31 – Deputy Campbell provided his name and clarified he was an off-duty Los Angeles County Sheriff's Department Deputy.

STATEMENTS

The following narratives are intended only as a summation of the actual interview(s). Additional information and the precise wording may be obtained by reviewing the digital audio recorded and verbatim transcriptions. IAB investigators reviewed all reports authored by involved Department personnel.

INVOLVED EMPLOYEE TODD CAMPBELL

RCSD Homicide Unit Interview

On March 6, 2018, Deputy Todd Campbell, was interviewed by RCSD Homicide Investigators [redacted] and [redacted]. The interview was audio recorded, summarized, and transcribed in the RCSD Homicide Case Book **[Exhibit A, page 20 and Exhibit B/Recordings/Todd Campbell Interview 1.1, 1.2]**.

RCSD Homicide Unit Round Count

On March 6, 2018, RCSD Homicide Investigator [redacted] conducted a round count of Deputy Campbell's firearm, Beretta, 92FS Brigadier, semi-automatic pistol, serial number BER[redacted]. The firearm contained sixteen rounds, fifteen in the magazine and one in the chamber.

Internal Affairs Bureau Interview

On June 24, 2020, at approximately 0902 hours, Deputy Campbell was interviewed at Internal Affairs Bureau by Sergeants Troy Rodriquez and Victor Puebla. Deputy Campbell was represented by attorney Amy Johnson of Rains, Lucia, and Stern. The interview was audio recorded and transcribed.

On March 6, 2018, Deputy Campbell left his residence to go to work. Deputy Campbell [redacted] Deputy Campbell was dressed in his Class "B" uniform, Department jacket, and black basket weave belt with a "paddle" holster with his firearm.

> **IAB NOTE:** A paddle holster is a holster for a handgun whose method of securing the holster to the wearer utilizes a flat, concave shaped piece of plastic or stiffened leather designed to be worn against the body inside of the pants.

The firearm Deputy Campbell possessed was a Department approved firearm and not his Department issued firearm. Deputy Campbell stated he carried his firearm with sixteen rounds in the magazine and one in the chamber. The magazine utilized by Deputy Campbell's approved firearm was designed to hold fifteen rounds **[Deputy Campbell Transcript, Pages 5-6]**.

Deputy Campbell observed Witness [redacted] partially inside [redacted] vehicle and believed he witnessed a vehicle burglary. Based on his observations, Deputy Campbell identified himself as a deputy sheriff and attempted to detain Witness [redacted] at gunpoint from a distance of 10-15 feet. Deputy Campbell maintained this distance for officer safety. The distance allowed him a position of advantage to react to Witness [redacted]'s actions. Simultaneously, Deputy Campbell called 9-1-1 from his cellphone to

report what had occurred. Deputy Campbell stated his intent was to detain the burglary suspect at gunpoint until RCSD deputies arrived and arrested Witness [redacted]. Witness [redacted] initially complied but then refused to follow Deputy Campbell's commands. Witness [redacted] got up from the ground and began to walk toward Deputy Campbell. Witness [redacted] stated, "Fuck you. Shoot me. I don't have a weapon. You can't shoot me." Deputy Campbell thought Witness [redacted] was going to advance toward him, take his gun, and shoot him. Deputy Campbell bladed his body to Witness [redacted] to maintain distance, as he continued to give commands to Witness [redacted] to get on the ground. Deputy Campbell could not consider other options to subdue Witness [redacted] because he only had is firearm on his person **[Deputy Campbell Transcript, Page 9]**.

IAB NOTE: Deputy Campbell stated his complete "Sam Brown" duty belt was located in the trunk of his vehicle, but he did not think about retrieving it before he engaged Witness [redacted].

Deputy Campbell walked sideways to maintain distance from Witness [redacted] while he detained at gunpoint. Deputy Campbell followed Witness [redacted] approximately 250-300 feet to a parked white vehicle. Witness [redacted] entered the driver's seat and began to maneuver the vehicle, and conducted a U-turn in the street. Deputy Campbell was concerned to maintain distance from the vehicle to avoid being struck, as he conveyed information to the 9-1-1 operator.

Deputy Campbell stated the only light available was from the street lights and porch lights, he could not see clearly into the vehicle. Deputy Campbell positioned himself at the left front corner panel of the vehicle by the wheel well. He maintained a distance of 1-3 feet from the vehicle. Witness [redacted] was unable to negotiate the U-turn and fled from the vehicle and ran southwest on [redacted]. Additionally, Witness [redacted] exited the rear passenger side door and ran in the same direction as Witness [redacted].

IAB NOTE: Deputy Campbell stated using another vehicle for cover while addressing Suspect Cortez and Witness [redacted] was an option he did not utilize.

Suspect Cortez entered the driver's seat from the backseat and tried to drive the vehicle. Deputy Campbell gave her commands for approximately 30 seconds to turn off and to exit the vehicle. As he gave commands, Deputy Campbell was positioned at the front corner panel of the vehicle by the wheel well. Suspect Cortez lunged the vehicle forward and struck Deputy Campbell's left leg. He fired one round through the front windshield **[Deputy Campbell Transcript, Pages 17-18]**. After being struck by the vehicle, Deputy Campbell stated he fell to the ground. Deputy Campbell was on the phone and advised the 9-1-1 operator he had just fired a shot.

Deputy Campbell was not able to acquire his gun sights and used a point and shoot method of target acquisition at Suspect Cortez **[Deputy Campbell Transcript, Page 32]**.

When Deputy Campbell fired his weapon, a brick wall was the backdrop behind the suspect's vehicle.

After Deputy Campbell fired his weapon, Suspect Cortez initially complied with commands and exited the vehicle. Deputy Campbell got up off the ground, holstered his firearm, and tackled Suspect Cortez as she ran down the sidewalk. Deputy Campbell described the tackle as a collision of his upper torso and bodyweight against Suspect Cortez's body. The momentum caused them to fall into some bushes.

IAB Note: During the IAB interview, Deputy Campbell utilized a Forensic sketched map of the scene to assist in describing the incident **[Exhibit C]**.

Suspect Cortez fell on her back and began to punch and slap Deputy Campbell as she tried to get away. Deputy Campbell held Suspect Cortez on the ground with his right forearm while he continued to update the 9-1-1 operator on the phone. Deputy Campbell held Suspect Cortez down until a RCSD deputy arrived and told him to get off of Suspect Cortez. RCSD took Suspect Cortez into custody **[Deputy Campbell Transcript, Pages 21-22, 29-30]**.

IAB Note: [redacted]

CIVILIAN WITNESS STATEMENTS

WITNESS [redacted]

RCSD Homicide Unit Interview

On March 06, 2018, Witness [redacted] was interviewed by RCSD Homicide Bureau Investigator [redacted]. The interview was audio recorded, summarized, and transcribed in the RCSD Homicide Case Book **[Exhibit A, Page 25 and Exhibit B, Recordings, /WS601252 [redacted] 1/ WS601253 [redacted] 2]**. Witness [redacted] was the individual inside [redacted] vehicle, and the person Deputy Campbell initially attempted to detain for the vehicle burglary.

Witness [redacted] drove to [redacted] with Witness [redacted] and Subject Cortez, to look for items to steal out of unlocked vehicles. He did not use any tools to gain access into the vehicles and did not break or damage any vehicles.

Subject Cortez knew if Witness [redacted] got into trouble, she would leave in the vehicle and they would meet up later.

Witness [redacted] came across an unlocked vehicle on [redacted] He searched the interior of the vehicle, but there was nothing of value to steal. When he closed the door to the vehicle, he was approached by a male, Deputy Campbell, who asked what he was doing. Deputy Campbell was holding a handgun and identified himself as a deputy sheriff. Witness [redacted] believed Deputy Campbell was a security guard and initially complied with the orders to lie on the ground. Witness [redacted] thought to himself he had to get away. He got up off the ground, told Deputy Campbell he was unarmed and started to walk toward the Kia Sportage. Deputy Campbell followed Witness [redacted] as he gave several commands to stop, but Witness [redacted] ignored them. Deputy Campbell used his cell phone and called the police. He told the operator he was an off-duty deputy sheriff. Witness [redacted] continued to walk, entered the driver side seat of the Kia Sportage, which already had the keys in the ignition.

Witness [redacted] could not drive forward because there was a vehicle parked in front the Kia Sportage, so he placed the vehicle in reverse to create enough room to drive the vehicle forward. Witness [redacted] stated the vehicle did not have power steering so it was difficult to drive. Deputy Campbell was in front of the vehicle and Witness [redacted] felt he could not get away so he got out of the vehicle; however, noticed the vehicle still moved forward. Witness [redacted] got back in the vehicle, placed it in park, exited again and ran away. Witness [redacted] ran south on [redacted] and never looked back. He did not hear any gunshots. Witness [redacted] ran down a hill and hide in a trench until morning. He later went to a nearby park where he was detained by the police.

WITNESS [redacted]

RCSD Homicide Unit Interview

On March 6, 2018, Witness [redacted] was interviewed by RCSD Homicide Investigator [redacted]. The interview was audio recorded, summarized, and transcribed in the RCSD Homicide Case Book **[Exhibit A, Pages 23-24, and Exhibit B/Recordings/[redacted] 1-3]**. Witness [redacted] was the individual who ran from the rear passenger seat of the suspect's vehicle.

Witness [redacted] stated he went on a drive with his friend Subject Cortez and her friend, Witness [redacted]. They went and got something to eat, then drove to [redacted]. Witness [redacted] fell asleep in the backseat of the vehicle. Witness [redacted] awoke when he heard someone yell "stop" from outside of the vehicle. Witness [redacted] got into the vehicle and saw another male, Deputy Campbell. Deputy Campbell told Witness [redacted] to stop or he would shoot. Witness [redacted] believed the male could have been a police officer, but he did not see a uniform. Witness [redacted] placed the vehicle in reserve, turned the steering wheel, and drove forward before he exited the vehicle and ran.

Subject Cortez got into the drivers' seat and Deputy Campbell turned his attention toward her. Deputy Campbell ordered Subject Cortez to stop or he would shoot her. Witness [redacted] exited the vehicle. Witness [redacted] saw Deputy Campbell leaned over the hood of the vehicle with his handgun that almost touched the windshield. As the vehicle moved forward, Deputy Campbell fired his handgun and Subject Cortez screamed. Witness [redacted] ran from the area, but he was subsequently detained by police officers.

WITNESS [redacted]

RCSD Homicide Unit Interview
On March 6, 2018, Witness [redacted] was interviewed by RCSD Homicide Investigator [redacted]. The interview was summarized in the Homicide Bureau Case Book **[Exhibit A, 11]**.

On July 2, 2020, IAB investigator obtained an audio recording of Witness [redacted]'s interview with RCSD Homicide Investigator [redacted]. The interview was transcribed and included in the casebook **[Witness [redacted] Transcript]**. Witness [redacted] observed the incident from his master bathroom window.

Witness [redacted] heard a commotion outside his home around 0335 hours. He looked out his bathroom window and saw a man, Deputy Campbell, as he stood in front of a vehicle with arms drawn out in front of him. Witness [redacted] could not tell if Deputy Campbell was holding a handgun, but he assumed he had a handgun by his actions. Witness [redacted] heard Deputy Campbell yell, "Get out of the car," "Stop the vehicle." Witness [redacted] heard loud commands. The commands were given approximately fifteen to twenty times. Deputy Campbell stood close enough to the front of the vehicle to stop it from turning. It appeared when the vehicle moved forward, it "bumped" Deputy Campbell a few times **[Witness [redacted] Transcript, Page 5]**.

Witness [redacted] saw two males had walked away from the vehicle Deputy Campbell had detained. One male exited from the driver's side of the vehicle and the other exited from the passenger' side. After the male exited the driver's side of the vehicle, the vehicle continued to move forward. It appeared the vehicle kept trying to get away, but Deputy Campbell kept giving commands. The second male exited the passenger side of the vehicle and walked away **[Witness [redacted] Transcript, pages 6-8]**.

Witness [redacted] heard one gunshot, then heard a female scream. Witness [redacted] saw a female had walked away from the vehicle. The female walked away, and did not appear she had been shot. Suspect Cortez walked approximately twenty feet before he heard someone tell her to lay down. Witness [redacted] recalled he heard the words "get on the ground" or "lay on the ground" **[Witness [redacted] Transcript, Pages 9-10]**.

When Witness [redacted] initially heard the gunshot, he momentarily ducked down. When he looked back up, the car was rolling backward toward the curb line. The car door was open and no one was in the driver's seat.

SUSPECT STATEMENTS

SUSPECT JESSICA CORTEZ

RCSD Homicide Unit Interview

On March 6, 2018, Suspect Cortez was interviewed by RCSD Homicide Investigators [redacted] and [redacted]. The interview was summarized, audio recorded, and transcribed in the RCSD Homicide Case Book **[Exhibit A, Page 21, and Exhibit B/Recordings/Jessica Cortez 1]**.

Suspect Cortez and Witness [redacted] drove to [redacted] in Witness [redacted]'s white Kia Sportage. Suspect Cortez believed they arrived at the park at approximately 09:00 P.M. Suspect Cortez danced in the park until she got tried. She eventually fell asleep in the front passenger seat of the Kia Sportage. Subject Cortez awoke when someone yelled outside of the vehicle. Witness [redacted] quickly walked back to the vehicle followed by a man, Deputy Campbell, in a green uniform. Deputy Campbell had a handgun pointed at Witness [redacted], and yelled for him to stop. Witness [redacted] entered the driver's seat and Deputy Campbell positioned himself in front of the vehicle. Subject Cortez was disorientated, confused, and scared by Witness [redacted]'s behavior and wondered why a handgun was pointed at him.

Witness [redacted] attempted to turn the vehicle around while he ignored Deputy Campbell's commands. Witness [redacted] was in the process of making a U-turn when he suddenly stopped the vehicle. Witness [redacted] exited the vehicle and told Subject Cortez to take the vehicle as he walked southbound on [redacted]. Deputy Campbell kept his handgun directed at the vehicle, as he remained positioned in front of the vehicle. Subject Cortez woke up Witness [redacted] who was asleep in the backseat of the vehicle.

Subject Cortez watched as Witness [redacted] walked down the street. She felt the vehicle roll forward. In an attempt to control the vehicle, Subject Cortez climbed into the driver's seat. Suspect Cortez believed she simultaneously stepped on the gas and brake pedals since she felt the vehicle "jolt" forward. She tried to control the vehicle by moving the gear shift back and forth to place the vehicle into park. Simultaneously, Witness [redacted] exited the vehicle and walked southbound on [redacted]. The vehicle jolted forward again and Deputy Campbell fired his handgun. The bullet struck her in the right hand.

Subject Cortez screamed when the handgun was fired. She grabbed her belongings and exited the vehicle. She walked over to the sidewalk, where she was tackled by Deputy Campbell.